

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6031

BILL NUMBER: HB 1013

DATE PREPARED: Nov 20, 2000

BILL AMENDED:

SUBJECT: Lawsuits by Inmates.

FISCAL ANALYST: Mark Goodpaster

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FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires an indigent person, who is confined to the Department of Correction (DOC) and who is unable to pay the required fees or other court costs upon commencement of a civil action or proceeding, to pay a partial filing fee from the person's prisoner trust fund account. It specifies that process concerning the person's case may not be served until the partial filing fee is paid. It provides that the Department of Correction shall deprive a committed person, not to include a person who has been released on parole, of: (1) not more than 180 days of credit time; and (2) certain privileges; if a court determines that a civil action or proceeding brought by the person in a state or an administrative court is frivolous, unreasonable, or groundless.

Effective Date: July 1, 2001.

Explanation of State Expenditures: Under DOC's current guidelines, the maximum number of days that a person **may** be denied credit time is 180 days. As proposed by this bill, the maximum number of days of credit time that an offender **shall** be denied would be 180 days if the offender files what is determined by the courts to be a frivolous lawsuit. Consequently, it is not likely that this bill would change the number of days that offenders remain incarcerated.

Explanation of State Revenues:

Explanation of Local Expenditures: Requiring the filing fee be partially paid may reduce the number of filings that may be considered to be frivolous by the courts.

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial Courts.

Information Sources: Robert Bugher, Chief Counsel, Department of Correction.